

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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BLUE SPHERE, INC. d/b/a LUCKY 13  
and ROBERT A. KLOETZY,

Plaintiffs,

v.

THE INDIVIDUALS, CORPORATIONS, LIMITED  
LIABILITY COMPANIES, PARTNERSHIPS AND  
UNINCORPORATED ASSOCIATIONS IDENTIFIED  
ON SCHEDULE A HERETO,

Defendant.

Case No. 22-cv-5599

Judge Steven C. Seeger

**PLAINTIFFS' MOTION TO RESET IN-PERSON HEARING**

Plaintiffs, BLUE SPHERE, INC. d/b/a LUCKY 13 and ROBERT A. KLOETZY (hereinafter “Plaintiffs”), request this Court to reset the in-person hearing set for January 18, 2022, to a date after January 24, 2023, at the Court’s convenience, for the reasons set forth below. This is Plaintiffs’ first request for an extension of time.

1. On October 13, 2022, Plaintiffs filed a Complaint for Trademark Infringement and Counterfeiting (Count I), False Designation of Origin (Count II) and Violation of Illinois Uniform Deceptive Trade Practices Act (Count III) against 218 Defendants. [Dkt. No. 1].
2. On October 24, 2022, Plaintiffs filed an Amended Complaint as a matter of course pursuant to F.R.C.P. 15(a)(1)(A) against five (5) Defendants to comply with this Court’s bond requirements. [Dkt. No. 12].
3. On January 10, 2023, the Court entered a Temporary Restraining Order (“TRO”) against the remaining five (5) Defendants [Dkt. Nos. 22, 23] and, inter alia, ordered

Plaintiffs' counsel to appear for an in-person hearing on January 18, 2023 [Dkt. No. 24].

4. On January 11, 2023, Plaintiffs' counsel received the signed TRO from the Court.
5. The five (5) remaining Defendants are doing business on the ContextLogic, Inc. ("Wish") e-commerce platform.
6. On January 13, 2023, Plaintiffs' counsel served a subpoena and copy of the signed TRO on the e-commerce platform Wish and requested the account information, sales information and contact information regarding the remaining five (5) Defendants in this matter.
7. In Plaintiffs' experience, e-commerce platforms usually require at least 2 weeks to provide counsel with the requested information and Plaintiffs' counsel has never received the requested information within three (3) business days.
8. Monday, January 16, 2023, is a federal holiday, which may further delay receipt of the requested account information.
9. In addition, Plaintiffs' counsel requires additional time to consult with their clients regarding the upcoming in-person hearing.
10. As such, Plaintiffs request that the in-person hearing set for January 18, 2023, be reset to a date after January 24, 2023, to ensure that Plaintiffs have received the account information, sales information and contact information for the remaining Defendants in order for Plaintiffs to be able to provide this Court with accurate information regarding this matter.
11. This is Plaintiffs' first request for an extension of time.

Respectfully submitted,

Dated: January 13, 2023

By: s/Michael A. Hierl  
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and Robert A. Kloetzy

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that a true and correct copy of the foregoing Motion was filed electronically with the Clerk of the Court and served on all counsel of record and interested parties via the CM/ECF system on January 13, 2023.

s/Michael A. Hierl

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